

Littleton, Colorado; FirstBank of Lakewood, N.A., Lakewood, Colorado; FirstBank of Littleton, N.A., Littleton, Colorado; FirstBank of Arapahoe County, N.A., Littleton, Colorado; FirstBank of Silverthorne, N.A., Silverthorne, Colorado; FirstBank of Vail, Vail, Colorado; FirstBank North, N.A., Westminster, Colorado; FirstBank of Wheat Ridge, N.A., Wheat Ridge, Colorado; and FirstBank, N.A., Palm Desert, California.

2. *Benedict Enslinger, Trustee, Benedict Enslinger Revocable Trust*, both of La Crosse, Kansas; to acquire an additional 1.30 percent, for a total of 11.96 percent, of the voting shares of NSB Bancshares, Inc., La Crosse, Kansas, and thereby indirectly acquire Nekema State Bank, La Crosse, Kansas.

3. *Matthew T. Ley, as Trustee*, Portland, Oregon; to acquire an additional 38.2 percent, for a total of 40.9 percent, of the voting shares of State National Bancshares, Inc., Wayne, Nebraska, and thereby indirectly acquire State National Bank and Trust Company, Wayne, Nebraska.

C. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Cecil R. Simmons*, San Benito, Texas; to acquire an additional 2.1 percent, for a total of 14.8 percent, and Cecil R. Simmons, as Trustee for the First National Bank Employee Stock Ownership Plan, San Benito, Texas, to acquire an additional 11.4 percent, for a total of 17.3 percent, of the voting shares of First San Benito Bancshares, Inc., San Benito, Texas, and thereby indirectly acquire First National Bank of San Benito, San Benito, Texas.

Board of Governors of the Federal Reserve System, February 18, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97-4372 Filed 2-21-97; 8:45 am]

BILLING CODE 6210-01-F

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.25 of Regulation Y (12 CFR 225.25) or that the Board has

determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 10, 1997.

A. Federal Reserve Bank of Minneapolis (Karen L. Grandstrand, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480-2171:

1. *Community First Bankshares, Inc.*, Fargo, North Dakota; to engage *de novo* through its subsidiary, Community First Financial, Inc., Fargo, North Dakota, in leasing personal property or acting as agent, broker, or adviser in leasing personal property, pursuant to § 225.25(b)(5) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, February 18, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 96D-0513]

Guidance on Labeling of Foods That Need Refrigeration by Consumers

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is providing guidance on labeling of foods that need refrigeration by consumers to maintain safety or quality. This guidance, which represents FDA's policy on adequate safe handling instructions for food, should reduce the likelihood of temperature abuse of certain foods by consumers, and it is intended to reduce the potential for foodborne illness and death. The guidance also responds to the recommendations of the National Advisory Committee on Microbiological Criteria for Foods (NACMCF), the

National Food Processors Association (NFPA), the Association of Food and Drug Officials (AFDO), and the Centers for Disease Control and Prevention (CDC) for labeling foods needing refrigeration. FDA is soliciting comments on this guidance.

DATES: Written comments may be submitted at any time.

ADDRESSES: Submit written comments on this guidance to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Geraldine A. June, Center for Food Safety and Applied Nutrition (HFS-158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5099.

SUPPLEMENTARY INFORMATION:

I. Background

Refrigeration has long been used to retard deterioration of the flavor, color, and texture of foods. More importantly, refrigeration helps maintain the microbiological safety of potentially hazardous foods. Temperature abuse, i.e., failure to maintain foods at appropriate temperatures, may result in the outgrowth of microorganisms that may have contaminated the foods before, or at the time of, harvest or during processing, handling, or storage. The rate of growth of these microorganisms is reduced as the storage temperature is lowered. Proper refrigeration, therefore, prevents or slows the growth of human pathogens and spoilage microorganisms and reduces the likelihood of foodborne illness.

Refrigeration is only one of many individual factors, called barriers, that can be used to control microbiological risks. It is, for many foods, the only practicable barrier to reduce or prevent pathogen growth. Examples of other types of barriers include acidification (pH ≤ 4.6), use of preservatives, such as salt, and low water activity (a_w ≤ 0.85). Barriers used individually, or in combination with each other, may reduce or retard pathogenic microbial growth.

In the past, consumers could generally tell if a product were perishable by its packaging or lack of packaging. Products in a can or a jar were generally considered to be shelf-stable (i.e., products that can be stored on the shelf without spoilage), at least until opened. However, today's new packaging technologies have changed this situation. Many liquids or semi-liquids in flexible packages have airtight